IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

OP.No. 7119 of 1999(V)

PETITIONER:

THE ADMINISTRATOR,
SACRED HEART GENERAL AND LEPROSY HOSPITAL,
GREEN GARDENS, MATHILAKOM, CHERTHALA.

BY ADV. SRI.S.KRISHNAMOORTHY

RESPONDENTS:
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1. **KERALA STATE ELECTRICITY BOARD,**
   REP. BY ITS SECRETARY,
   VYDHYUTHI BHAVAN, PATTOM,
   TRIVANDRUM.

2. **THE CHIEF ENGINEER (CENTRAL),**
   KERALA STATE ELECTRICITY BOARD,
   KALOOR, ERNAKULAM.

3. **THE EXECUTIVE ENGINEER, ELECTRICAL MAJOR SECTION,**
   CHERTHALA EAST.

4. **THE ASSISTANT EXECUTIVE ENGINEER, ELECTRICAL**
   MAJOR SECTION, CHERTHALA EAST.

5. **THE ACCOUNTS OFFICER, KERALA STATE ELECTRICITY**
   BOARD, CHERTHALA.

ADV. SRI. C.K.KARUNAKARAN SC FOR KSEB

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 16/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NO. 12019/1999 IN OP NO. 7119/1999 V.

DISMISSED

16/11/2007. SD/- KURIAN JOSEPH, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE BILL DT. 26/6/96 BY THE R5.

EXT.P2. COPY OF THE BILL DT. 20/07/96 BY THE R5.

EXT.P3. COPY OF THE BILL DT. 20/08/96 BY THE R5.

EXT.P4. COPY OF THE BILL DT. 30/09/98 BY THE R5.

EXT.P5. COPY OF THE BILL DT. 20/10/96 BY THE R5.

EXT.P6. COPY OF THE BILL DT. 18/11/96 BY THE R5.

EXT.P7. COPY OF THE BILL DT. 16/12/96 BY THE R5.

EXT.P8. COPY OF THE BILL DT. 16/1/97 BY THE R5.

EXT.P9. COPY OF THE BILL DT. 15/2/97 BY THE R5.

EXT.P10. COPY OF THE BILL DT. 17/3/97 BY THE R5.

EXT.P11. COPY OF THE BILL DT. 16/4/97 BY THE R5.

EXT.P12. COPY OF THE BILL DT. 16/5/97 BY THE R5.

EXT.P13. COPY OF THE BILL DT. 16/6/97 BY THE R5.

EXT.P14. COPY OF THE BILL DT. 15/7/97 BY THE R5.

EXT.P15. COPY OF THE BILL DT. 15/08/97 BY THE R5.

EXT.P16. COPY OF THE BILL DT. 8/09/97 BY THE R5.

EXT.P17. COPY OF THE BILL DT. 17/09/97 BY THE R5.

EXT.P18. COPY OF THE BILL DT. 20/10/98 BY THE R5.

EXT.P19. COPY OF THE BILL DT. 20/10/98 BY THE R5.

EXT.P20. COPY OF THE BILL DT. 20/10/98 BY THE R5.

EXT.P21. COPY OF THE JUDGMENT IN OP NO. 21071/98 DT. 29/10/98 OF THIS COURT.

EXT.P22. COPY OF THE DETAILED BILL GIVEN BY THE R4.

EXT.P23. COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE R3 DT. 1/12/98.

EXT.P24. COPY OF THE ORDER DT. 11/1/96 BY THE R1.

EXT.P25. COPY OF THE PROCEEDINGS DT. 9/3/99 BY THE R3.

EXT.P26. COPY OF THE ORDER DT. 3/09/97 BY THE R1.

RESPONDENT'S EXHIBITS

EXT.R4A. COPY OF THE BOARD ORDER NO. 83/96(PLG.COM 2920/95) DT. 11/1/96.

True copy

tga

KURIAN JOSEPH, J.

O.P. NO. 7119 OF 1999

Dated this the 16th day of November, 2007.

J U D G M E N T

The issue essentially pertains to the penalty billing in the power cut period during 1995. The main grievance of the petitioner is that for the alleged excess consumption, the petitioner has been penalized twice or even thrice. In several cases this Court has directed the Kerala State Electricity Board to consider the grievance of similarly situated persons and take a decision in the matter.

2. Accordingly, this original petition is disposed of directing the first respondent - K.S.E.B to look into the grievance of the petitioner herein also and take appropriate action in accordance with law and justice with notice to the petitioner, expeditiously. Interim order passed by this Court in C.M.P. No. 12019/1999 will continue till such time.

KURIAN JOSEPH, JUDGE.

smp

KURIAN JOSEPH, J.

O.P. NO. 7119 OF 1999

J U D G M E N T

16.11.2007